

**THE HONORABLE MARY JO HESTON  
CHAPTER 13**

**HEARING DATE: February 3, 2020**

**HEARING TIME: 1:00 P.M.**

**LOCATION: Tacoma, Washington**

**RESPONSE DATE: January 17, 2020**

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON AT TACOMA**

In re:

MELISSA JO DOLE,

Debtor.

Case No.: 19-43899-MJH

**TRUSTEE'S OBJECTION TO CONFIRMATION  
WITH STRICT COMPLIANCE**

**COMES NOW**, Michael G. Malaier, Chapter 13 Standing Trustee, and objects to  
confirmation as follows:

**BACKGROUND**

Debtor filed this Chapter 13 case on December 6, 2019. The applicable commitment period is thirty six months. The case is currently in the second month and the Meeting of Creditors has been completed. The bar date for filing non-governmental claims is February 14, 2020. Scheduled unsecured claims total \$39,826.33, and scheduled priority claims total \$6,000.00. The Trustee estimates that under the proposed plan general unsecured creditors will receive approximately \$0.00.

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**OBJECTION**

☒ Schedules or other documentation insufficient:

(1) Debtor has not yet provided Trustee with copies of their bank statements covering the date of filing pursuant to Fed. R. Bankr. P. 4002. Specifically, for the checking and savings accounts held at Tapco Credit Union. Confirmation should be denied until such time as Debtor has complied with this requirement.

(2) Trustee requires additional information regarding Debtor's Form 122C. It is unclear if Debtor had any unemployment income in the six months prior to filing. Debtor lists food and cash assistance, but no unemployment income. Debtor has only been in her current position for three months. Trustee needs Debtor to clarify and provide evidence of all income earned in the CMI period, including any contributions made by the other members of the household. Finally, Trustee would like the Debtor to clarify who the fourth member of Debtor's household was during the CMI period as Debtor only lists a household of three in her budget.

**WHEREFORE**, Trustee requests that the objection to confirmation be sustained and Debtor be ordered to file a motion to confirm a plan resolving the issues raised herein within 14 days of entry of the Order Sustaining Trustee's Objection to Confirmation; and to set the hearing on the next available motion calendar after the 14 days expires. If the Motion to Confirm resolving the Trustee's issues is not filed and set for hearing as outlined above, the Trustee requests he be allowed to enter an order dismissing the case, *ex parte*, without notice.

**DATED** this 17th day of January, 2020.

/s/ Mathew S. LaCroix

Mathew S. LaCroix, WSBA# 41847 for  
Michael G. Malaier, Chapter 13 Trustee

**CERTIFICATE OF MAILING**

I certify under penalty of perjury under the laws of the United States I caused to be mailed via first class mail a true and correct copy of Trustee's Objection to Confirmation to the following:

Melissa Jo Dole  
141 E. 70<sup>th</sup> Street  
Tacoma, WA 98404

The following parties received notice via ECF:

Ellen Ann Brown  
U.S. Trustee

Executed at Tacoma, Washington this 17<sup>th</sup> day of January, 2020.

/s/ Tracy Maher  
Tracy Maher  
Motion Coordinator for  
Chapter 13 Trustee